

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ABBOTT DIABETES CARE INC. and
ABBOTT LABORATORIES,

Plaintiffs,

vs.

AGAMATRIX, INC.,

Defendant.

CASE NO. C 06 07268-JF

**~~[PROPOSED]~~ ORDER GRANTING
AGREED MOTION TO STAY CASE
PENDING OUTCOME OF APPEALS**

The Court has considered the parties' Agreed Motion to Stay Case Pending Outcome of Appeals. The Court finds the Motion to be well-taken. Accordingly, it is GRANTED.

It is therefore ORDERED that this case is and shall be STAYED pending the completion of all appeals arising out of the August 18, 2008 and September 10, 2008 final judgments entered in the following cases, which were pending in the United States District Court for the Northern District of California: *Abbott Diabetes Care, Inc. et al. v. Roche Diagnostics Corp. et al.*, Case No. 3:05-CV-03117 WHA, and *TheraSense, Inc. and Abbott Laboratories v. Becton Dickinson and Co. and related cases*; Case Nos. C04-2123 WHA; C04-3327 WHA; C04-3732 WHA.

It is further ORDERED that the parties shall notify the Court promptly once all such appeals are complete.

Dated: 10/2/08



Honorable Jeremy Fogel
United States District Judge